

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH : NEW DELHI

R.A. NO. 229/93 Date of Decision: 15-9-93
in
O.A. No. 811/93

Shri Inder Mohan Petitioner

Vs.
Union of India Respondents

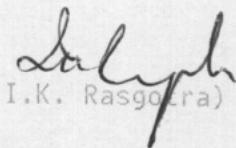
ORDER (BY CIRCULATION)

This R.A. has been filed seeking the review of my Judgement dated 21.5.1993 in O.A. no. 811/93. The review petitioner submits that he had made out a strong case for grant of premature increment as would be evident from Annexure A. Since, however, the anomaly pertained to the year 1954, it was considered that this could be removed only if Delhi Administration protects his pay in the post of junior clerk in Delhi Administration. It is further stated in the said letter (A-5) that Finance Department of Delhi Administration rejected the case of the petitioner after considering his representation. The operative part of the Order dated 28.5.1993 passed by the Tribunal dismissing the O.A. reads as under:

" The petitioner has not made out a case for grant of premature increment. There cannot be any vested right for grant of a premature/advance increment. Further it is well settled that belated/repeated representations do not extend limitation. In view of the facts of the case, I am of the opinion that O.A. is barred by limitation under Section 21 of the Administrative Tribunal Act, 1985. The same is dismissed accordingly."

It will be apparent from the above that the petition was dismissed as barred by limitation under Section 21 of the Administrative Tribunal Act, 1985 and not on the ground that the petitioner has not made out a strong case for premature increment; that was only the observation in the Judgment.

In view of the above circumstances the ground adduced is not covered by the provisions made in Order 47 CPC. There is no error apparent on the face of record nor any new evidence has been discovered which was not available after exercise of due diligence. The petitioner cannot reargue his case in the Review Petition. The Review Application, is therefore, accordingly rejected.


(I.K. Rasgotra)
Member (A)

Mittal